

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: : Examiner:
BRIAN C. BETZ : MICHELLE LOPEZ
Serial No. 10/627,835 : Group Art Unit 3721
Filing Date: July 25, 2003 : Attorney Docket No.:
For: NAIL GUN TIP ADAPTER : BCB-101A

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

DECLARATION OF DEBORAH BETZ UNDER RULE 1.131

I, Deborah Betz, am of full age and sound mind, and I do hereby declare the following:

1. I am aware of United States Patent No. 6,676,001 B1 to Chen et al. filed on March 20, 2003 that issued on January 13, 2004 in the rejection of the above-identified patent application.

2. I am the spouse of the inventor in the above-captioned patent application which was filed on July 25, 2003 before the issuance of Chen et al. and only about four months after Chen et al. was filed.

3. I observed Brian C. Betz reduce to practice the invention, as presently claimed, of the above-referenced application, or conceive of the invention and exercise due diligence in subsequent reduction to practice and filing of the application, prior to the Chen et al. issue date of January 13, 2004 and prior to the Chen et al. filing date of March 20, 2003, United States Patent No. 6,676,001.

4. He described his invention to me, as claimed, on or before March 1, 2003.

5. I saw him build his first actual prototype by grinding a nail gun tip to the desired tapers before March 1, 2003. I know that he purchased a Hitachi nail gun on February 25, 2003 for the purpose of modifying it in accordance with his invention. I saw him make his Hitachi nail gun prototype of the present invention within two days of this purchase.

6. I observed him diligently work on his invention and on his prototype made of metal, prior to March 1, 2003 and continuing for six weeks. I observed him making a prototype out of hard polymer and did fabricate this said prototype of his invention as claimed, in April, 2003.

7. In view of the foregoing, I believe that Chen et al. should be removed as a reference rejecting his claimed invention.

8. I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that the statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: Nov 22, 2007

Deborah C. Betz
Deborah Betz

KPG/hub/kmj



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DECLARATION OF BRIAN C. BETZ UNDER RULE 1.131

I, Brian C. Betz, am of full age and sound mind, and I do hereby declare the following:

1. I am aware of United States Patent No. 6,676,001 B1 to Chen et al. filed on March 20, 2003 that issued on January 13, 2004.

2. I am the sole inventor in the above-captioned patent application which was filed on July 25, 2003 before the issuance of Chen et al. and only about four months after Chen et al. was filed.

3. I, Brian C. Betz, do hereby declare that I did reduce to practice the invention, as presently claimed, of the above-referenced application, or did conceive of the invention and did exercise due diligence in subsequent reduction to practice and filing of the application, prior to the Chen et al. issue date of January 13, 2004 and prior to the Chen et al. filing date of March 20, 2003, United States Patent No. 6,676,001.

4. I fully conceived of my invention, as claimed, on or before March 1, 2003.

5. I built my first actual prototype by grinding a nail gun tip to the desired tapers before March 1, 2003. I actually purchased a Hitachi nail gun on February 25, 2003 for the purpose of modifying it in accordance with my invention. I made my Hitachi nail gun prototype of the present invention within two days of this purchase. See attached purchase proof.

6. I diligently worked on my invention and on my prototype made of metal, prior to March 1, 2003 and continuing for six weeks. I decided to make a prototype out of hard polymer and did fabricate this said prototype of my invention as claimed, in April, 2003.

7. In view of the foregoing, I believe that Chen et al. should be removed as a reference rejecting my claimed invention.

8. I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further

that the statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: Nov 22 2004



Brian C. Betz

KPG/hub/kmj

11/08/2004 19:34 5703742619

BRIAN BETZ

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Transaction Detail
02/24/03 Through 03/01/03

Nov 08, 2004 06:47 PM

EXPENSES.QEX, BETZ WEEKEND 3/1/03

Date	Expense Type	Merchant	City	RNP	Payment Method	Amount
02/24/03	Auto	Jack Williams	Selinsgrove	N	American Express	28.45
02/24/03	Supplies	Ollies	Shamokin D	R	Cash	7.99
02/24/03	Supplies	Wal-Mart	Selinsgrove	N	American Express	60.30
02/24/03	Dinner	Burger King	Shamokin D	R	Cash	4.55
02/24/03	Office Supplies	Staples	Chamberlain	N	American Express	82.00
02/24/03	Postage	USPO	Hummels W	R	Diners Club	12.80
02/24/03	Postage	USPO	Hummels W	R	Diners Club	9.06
02/25/03	Dinner	Bechtels	Harrisburg	R	Cash	17.89
02/25/03	Gas	Sunoco	Selinsgrove	N	American Express	22.11
02/25/03	Telephone					
02/25/03	Miscellaneous	Contractors Choice	Frazer PA	R	Master Card 8268	443.65
		Delta Airlines	All			200.50
02/26/03	Tips	Porter	Harrisburg	R	Cash	3.00
02/26/03	Dinner	Harrisburg Airport	Harrisburg	N	American Express	16.39
02/26/03	Seminar	Kinkos	Harrisburg	N	American Express	545.59
02/26/03	Supplies	Coles	Selinsgrove	R	Cash	42.36
02/26/03	Miscellaneous	CVS	Selinsgrove	R	Cash	4.82
02/26/03	Supplies	Lowes	Selinsgrove	N	American Express	215.53
02/26/03	Supplies	Coles	Selinsgrove	R	Cash	5.01
02/26/03	Hotel	Jameson Inn	Calhoun GA	N	American Express	68.32
02/27/03	Dinner	Los Reves Mexican	Dalton GA	N	American Express	94.83
02/27/03	Breakfast	Waffle House	Dalton GA	R	Cash	6.72
02/27/03	Hotel	Holiday Inn	Dalton GA	N	American Express	75.71
02/28/03	Dinner	TCBY	Charlotte	R	Cash	2.70
02/28/03	Dinner	OLLIES	Harrisburg	R	Cash	7.67
02/28/03	Dinner	Great Am. Bagle	Charlotte	R	Cash	10.93
02/28/03	Dinner	Great Am. Bagle	Charlotte	R	Cash	2.63
02/28/03	Miscellaneous	Lowes	Dalton GA	N	American Express	25.46
02/28/03	Lunch	Wendys	Dalton GA	R	Cash	5.42
02/28/03	Gas	Texaco	Atlanta	N	American Express	16.07
02/28/03	Car Rental	Hertz	Atlanta	R	Diners Club	110.42
02/28/03	Office Supplies	Hudson News	Atlanta	N	American Express	29.48
02/28/03	Lunch	Au Bon Pain	Atlanta	R	Cash	5.76
02/28/03	Lunch	Au Bon Pain	Atlanta	R	Cash	7.61
02/28/03	Gas	Sheetz	Selinsgrove	N	American Express	28.00
02/28/03	Parking	Harrisburg Parking	Harrisburg	N	American Express	37.00
03/01/03	Telephone	ProLog	Palmerton	R	Checking	24.35
					Total	3,028.09

*Hitachi
gas paid \$50*

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